

Panaji, 7th May, 2008 (Vaisakha 17, 1930)

SERIES I No. 5

OFFICIAL GOVERNMENT OF GOA GAZETTE



EXTRAORDINARY No. 2

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

7/5/2008-LA

The Goa Tax on Infrastructure (Amendment) Act, 2008 (Goa Act 4 of 2008), which has been passed by the Legislative Assembly of Goa on 26-3-2008 and assented to by the Governor of Goa on 5-5-2008, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 7th May, 2008.

The Goa Tax on Infrastructure (Amendment) Act, 2008

(Goa Act 4 of 2008)

[5-5-2008]

A N

A C T

further to amend the Goa Tax on Infrastructure Act, 1997 (Act 12 of 1997).

BE it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India as follows:—

1 *Short title and commencement.*—(1) This Act may be called the Goa Tax on Infrastructure (Amendment) Act, 2008.

(2) It shall be deemed to have come into force on the 19th day of March, 2007.

2 *Amendment of section 2.*— In section 2 of the Goa Tax on Infrastructure Act, 1997 (Goa Act 12 of 1997) (hereinafter referred to as the "principal Act"),—

(i) after clause (4), the following clause shall be inserted, namely:—

"(4A) "industrial building" means any building constructed for the purpose of carrying out medium and large scale industrial activities within or outside the earmarked as industrial estates/areas but does not include buildings constructed for carrying out small scale industrial activity;"

(ii) in clause (6), the words "industrial enterprises" shall be omitted.

3 *Substitution of section 3.*— For section 3 of the principal Act, the following section shall be substituted, namely:—

"3. *Tax on Infrastructure.*— Any person who has constructed a multi-dwelling building or an industrial building, in respect of which the construction licence has been issued on or after 1-4-2006, shall, before grant of permission for occupation or use of such building, or part thereof, be liable to pay a tax at the rate of rupees

forty per square meter of the floor area of such building as infrastructure tax.”.

4. Amendment of section 5.— In section 5 of the principal Act, in sub-section (1), for the expression “multi-dwelling building”, the expression “multi-dwelling building or industrial building, as the case may be,” shall be substituted.

5. Amendment of section 7.— In section 7 of the principal Act, for the expression “multi-dwelling building”, the expression “multi-dwelling building or industrial building, as the case may be,” shall be substituted.

6. Repeal and Saving.— (1) The Goa Tax on Infrastructure (Amendment) Third Ordinance, 2008 (Ordinance No. 3 of 2008) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken in exercise of the powers conferred by or under the principal Act, as amended by this Act.

Secretariat, K. S. SINGH,
Porvorim-Goa. Secretary to the Government of Goa,
Dated: 7-5-2008. Law Department (Legal Affairs).

Notification

7/8/2008-LA

The Goa Electricity Duty (Amendment) Act, 2008 (Goa Act 5 of 2008), which has been passed by the Legislative Assembly of Goa on 25-3-2008 and assented to by the Governor of Goa on 5-5-2008, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 7th May, 2008.

The Goa Electricity Duty (Amendment) Act, 2008

(Goa Act 5 of 2008) [5-5-2008]

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ACT

*further to amend the Goa, Daman and Diu
Electricity Duty Act, 1986 (Act 7 of 1986).*

Be it enacted by the Legislative Assembly of Goa in the Fifty-ninth Year of the Republic of India, as follows:—

1. Short title and commencement.— (1) This Act may be called the Goa Electricity Duty (Amendment) Act, 2008.

(2) It shall come into force with effect from the 1st day of April, 2008.

2. Amendment of Schedule.—In this Schedule appended to the Goa, Daman and Diu Electricity Duty Act, 1986 (Act 7 of 1986):—

(I) in PART – A,–

(i) against item (a), for the figure “5”, the figures “18” shall be substituted;

(ii) against item (b), for the figure “8”, the figures “18” shall be substituted;

(iii) against item (c), for the figure “10” the figures “18” shall be substituted;

(II) in PART – B, for the figures “15”, wherever they occur, the figures “58” shall be substituted;

(III) in PART – C, for the figure “5”, wherever it occurs the figures “58” shall be substituted;

(IV) in PART – D, for the figure “5”, the figures “18” shall be substituted;

(V) in PART – E, for the figure “5”, the figure “18” shall be substituted;

(VI) Part – G shall be deleted.

Secretariat, K. S. SINGH,
Porvorim-Goa. Secretary to the Government of Goa,
Dated: 7-5-2008. Law Department (Legal Affairs).

Notification

7/9/2008-LA

The Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008), which has been passed by the Legislative Assembly of Goa on 26-3-2008 and assented to by the Governor of Goa on 5-5-2008, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 7th May, 2008.

The Goa (Regulation of Land Development and Building Construction) Act, 2008

(Goa Act 6 of 2008) [5-5-2008]

A N

ACT

to provide for the regulation and control on building construction and land development in the State of Goa and other incidental and ancillary matters connected therewith.

BE it enacted by the Legislative Assembly of the State of Goa in the Fifty-ninth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—

(1) This Act may be called the Goa (Regulation of Land Development and Building Construction) Act, 2008.

(2) It shall extend to the whole of the State of Goa.

(3) It shall be deemed to have come into force with effect from the 2nd day of September, 2007.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “building construction” shall have the same meaning assigned to:—

(i) “building operations” in clause (5) of section 2 of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975);

(ii) “building” in clause (2) of section 2 of the Goa Panchayat Raj Act, 1994 (Act 14 of 1994);

(iii) “to construct a building” in sub-section (1) of section 184 of Goa Municipalities Act, 1968 (Act 7 of 1969);

(iv) “building” in clause (8) of section 5 of the City of Panaji Corporation Act, 2002 (Act 1 of 2003);

(b) “Corporation” means the Corporation of the City of Panaji incorporated under section 7 of the City of Panaji Corporation Act, 2002 (Act 1 of 2003) or any other Corporation established

under the provisions of any Law enacted by the Legislative Assembly of Goa;

(c) “engineering operations” includes the formation or the laying out of means of access to a road or the laying out of means of water supply, drainage, sewerage or of electricity cables or lines or of telephone lines;

(d) “Government” means the Government of Goa;

(e) “land development” with its grammatical variations and cognate expressions, means the carrying out of building, engineering, change on the face of land, mining, quarrying or other operations in or on or over or under the land, or the making of any material change in any building or land, or in the use of any building or land, and includes sub-division or amalgamation of land;

(f) “Municipal Council” means a Municipal Council established under section 8 of the Goa Municipalities Act, 1968 (Act 7 of 1969);

(g) “notification” means a notification published in the Official Gazette;

(h) “Official Gazette” means the Official Gazette of the Government;

(i) “Panchayat” means a Panchayat notified by the Government under sub-section (2) of section 3 of the Goa Panchayat Raj Act, 1994 (Act 14 of 1994);

(j) “Planning and Development Authority” means Planning and Development Authority constituted under section 20 of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975);

(k) “prescribed” means prescribed by rules made under this Act;

(l) “regulations” means the regulations framed under this Act;

(m) “State” means the State of Goa.

3. *Land development and building construction.*— (1) All land development and building construction in the State shall, subject to the provisions of section 9, be in accordance with the provisions of this Act and the rules and regulations made under the provisions of this Act.

(2) Any law in force in the State governing land development and building construction, in so far as it is inconsistent with the provisions of this Act or the rules and regulations made under the provisions of this Act, shall stand repealed.

Explanation.— In this section, unless the context otherwise requires, "law" includes any Ordinance, Orders, bye-laws, rules, regulations or notifications.

4 Power to make regulations and rules.— (1) The Government may, by notification in the Official Gazette, frame regulations not inconsistent with the provisions of this Act, for carrying out the provisions of this Act by following the procedure specified in sections 5, 6 and 7.

(2) In particular and without prejudice to the generality of the foregoing powers, the Government shall make regulations providing for:—

- (a) zoning of the land and its use;
- (b) general requirements for land development;
- (c) group housing;
- (d) sub-division of land including amalgamation of plots;
- (e) preservation and conservation;
- (f) procedure for seeking development permission from Corporation, Municipal Council, Panchayat and Planning and Development Authority;
- (g) any other aspect relating to planning and development.

(3) The Government may by notification in the Official Gazette, frame rules for carrying out the provisions of this Act.

(4) Every regulation and rules made under this section shall be laid as soon as may be after it is made, before the Legislative Assembly of Goa.

5 Public notice of the regulation.— The power to make regulations under section 4 shall be subject to the condition of previous publication and such publication shall be made in the Official Gazette and in at least three local newspapers

having wide circulation inviting objections and suggestions from the public for a period of thirty days.

6 Steering Committee.— (1) The Government may, by notification in the Official Gazette, appoint a "Steering Committee" consisting of the Chief Minister, Government of Goa, as its Chairman, the Minister for Urban Development, Minister for Panchayats, Minister for Town and Country Planning, Chief Secretary, Secretary to the Government of Goa in charge of Urban Development, Secretary to the Government of Goa in charge of Panchayats and Secretary to the Government of Goa in charge of Town and Country Planning, as its members. The Chief Town Planner of the Town and Country Planning Department shall be its Member Secretary. The Government may co-opt an expert having vast knowledge in the field of town planning on the said Committee.

(2) The Steering Committee shall appoint a Sub-Committee consisting of the Director of Municipal Administration, Director of Panchayats, the Chairman or member of the Goa Chamber of Commerce and Industry, the Chairman or member of the Goa Chamber of Housing Industry, a representative each of registered local Chapter/Associations of Town Planners, Engineers and Architects to consider objections and suggestions received from the public and to submit a report within a period of two months from the date of its appointment to the Steering Committee or within such further period as the Steering Committee may from time to time extend on request of the Sub-Committee. The Senior Town Planner shall be the Member Secretary of the said Sub-Committee.

(3) The Steering Committee and the Sub-Committee shall meet at such intervals and transact such business as may be prescribed.

(4) The Steering Committee shall, after considering the report of the Sub-Committee, submit its report together with recommendations to the Government within a period of thirty days from the date of receipt of the report of the Sub-Committee.

7 Regulations.— The Government shall, after receiving the report and recommendations of the Steering Committee, and after making such

modifications as the Government considers necessary, direct the Chief Town Planner to notify the regulations.

8. Notification and effect.— On and from the date of the coming into force of the regulations framed under section 7, any land development and building construction in the State shall be in accordance with the provisions of such regulations.

9. Interim provision, pending finalization of regulations.— (1) All applications for land development permission or construction licenses for building submitted, before the date of commencement of regulations framed under section 7, shall be considered as per the law applicable before the commencement of this Act.

(2)(a) In respect of areas, which are not declared as planning areas under section 18 of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975), no objection certificate shall be necessary to be obtained from the Town and Country Planning Department from planning point of view.

(b) Any application for land development or construction of building received by the Panchayat/Municipal Council/Municipal Corporation shall be forwarded by the concerned authority to the respective district level/taluka level office of the Town and Country Planning Department for obtaining no objection certificate from planning point of view.

(3) The Town and Country Planning Department shall consider the applications for issuing of No Objection Certificate if it is satisfied after such scrutiny of plan and/or site inspection, deemed to be necessary, that the proposed land development and/or construction of building is in conformity with:—

(a) Regional Plan for the State in force and the Outline Development Plans/Zoning Plans in force prior to 16th May, 2007.

(b) Planning and Development Authority (Development Plan) Regulations, 2000, published in the Official Gazette, Extraordinary No. 3, Series I No. 22, dated 28th August, 2003, with exception of regulations governing farm houses:

Provided that —

(a) no land development shall be permitted in any areas having gradient of more than 25%;

(b) farm houses shall be permitted only in plots with minimum area of 4,000 square meters and coverage 2.5 % and F.A.R. 5 and height 5.5 meters, following the guidelines issued by the Town and Country Planning Department;

(c) the F.A.R in the areas regulated as per Surface Utilization Plans of Regional Plan shall be 80.

10. Saving provision.— (1) Any land development permission/construction licence for building, etc., issued under the relevant laws applicable before the commencement of this Act, shall remain valid for all purposes including renewals.

(2) Notwithstanding anything contained in sub-section (1), such development permission and/or construction licence for building shall not get immunity if such development permission or construction license is otherwise in accordance with this Act and rules and regulations framed thereunder.

11. Repeal and Saving.— (1) The Goa (Regulation of Land Development and Building Construction) Second Ordinance, 2008 (Ordinance No. 2 of 2008) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

Secretariat,
Porvorim-Goa.
Dated: 7-5-2008.

K. S. SINGH,
Secretary to the Government of Goa,
Law Department (Legal Affairs).

Notification

7/17/2008-LA

The Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Act, 2008 (Goa Act 7 of 2008), which has been passed by the Legislative Assembly of Goa on 28-3-2008 and assented to by the Governor of Goa on 5-5-2008, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).
Porvorim, 7th May, 2008.

**The Goa Salary, Allowances and Pension of
Members of the Legislative Assembly
(Amendment) Act, 2008**

(Goa Act 7 of 2008) [5-5-2008]

A N

ACT

*further to amend the Goa Salary, Allowances and
Pension of Members of the Legislative Assembly
Act, 2004 (Act 20 of 2004).*

BE it enacted by the Legislative Assembly of
the State of Goa in the Fifty-ninth Year of the
Republic of India as follows:—

1. *Short title and commencement.*— (1) This
Act may be called the Goa Salary, Allowances and
Pension of Members of the Legislative Assembly
(Amendment) Act, 2008.

(2) It shall come into force at once, except
sections 5 and 6 which shall be deemed to have
come into force with effect from the 27th day of
August, 2007.

2. *Omission of section 4.*— Section 4 of the Goa
Salary, Allowances and Pension of Members of
the Legislative Assembly Act, 2004 (Act 20 of
2004) (hereinafter referred to as the “principal
Act”), shall be omitted.

3. *Amendment of section 9.*— In section 9 of the
principal Act, for the words “eight thousand
rupees”, the words “twenty six thousand rupees”
shall be substituted.

4. *Omission of section 10.*— Section 10 of the
principal Act shall be omitted.

5. *Amendment of section 11.*— In section 11 of
the principal Act, in sub-section (1), in the fourth
proviso, for the expression “**male children of the
person as aforesaid till they attain the age of
18 years**”, the expression “**dependent
family members of the person as aforesaid
till they attain the age of 25 years**” shall be
substituted.

6. *Amendment of section 17.*— In section 17 of
the principal Act, for the words “**his wife**”, the
words “**his immediate dependent family
members**” shall be substituted.

7. *Omission of section 18.*— Section 18 of the
principal Act shall be omitted.

8. *Insertion of new section 20A.*— After section
20 of the principal Act, the following new section
shall be inserted, namely:—

**“20A. Computer to the ex-members.— Every
person who is not a sitting member but has
served for any period as a member shall, once
during his lifetime, be provided with, either
a lap top or a desktop computer, as per the
choice of the ex-member concerned, and the
total cost whereof which shall be borne by the
Legislature Secretariat shall not exceed
Rs. 50,000/- (Rupees fifty thousand only).”.**

9. *Omission of section 21.*— Section 21 of the
principal Act shall be omitted.

10. *Amendment of section 23.*— In section 23
of the principal Act, for the figures and word “19,
21 and 22”, the figures and word “19 and 22”
shall be substituted.

11. *Repeal and saving.*— (1) The Goa Salary,
Allowances and Pension of Members of the
Legislative Assembly (Amendment) Ordinance,
2007 (Ordinance No. 3 of 2007), is hereby repealed.

(2) Notwithstanding such repeal, anything done
or any action taken under the said Ordinance
shall be deemed to have been done or taken under
this Act, as if this Act was in force on the day on
which such thing or action was done or taken.

Secretariat, K. S. SINGH,
Porvorim-Ga. Secretary to the Government of Goa,
Dated: 7-5-2008. Law Department (Legal Affairs).

Notification

7/16/2008-LA

The Goa Motor Vehicles Tax (Amendment)
Act, 2008 (Goa Act 8 of 2008), which has been
passed by the Legislative Assembly of Goa on
25-3-2008 and assented to by the Governor of Goa
on 5-5-2008, is hereby published for general
information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 7th May, 2008.

**The Goa Motor Vehicles Tax (Amendment)
Act, 2008**

(Goa Act 8 of 2008) [5-5-2008]

A N

ACT

*further to amend the Goa, Daman and Diu
Motor Vehicles Tax Act, 1974 (Act 8 of 1974).*

Be it enacted by the Legislative Assembly of
Goa in the Fifty-ninth Year of the Republic of
India as follows:—

1. Short title and commencement.— (1) This
Act may be called the Goa Motor Vehicles Tax
(Amendment) Act, 2008.

(2) It shall come into force at once.

2 Amendment of Schedule.— In the Schedule
appended to the Goa, Daman and Diu Motor
Vehicles Tax Act, 1974 (Act 8 of 1974),—

(I) in PART 'A', under A,—

(i) in clause II, for the words "Goods
Vehicles", wherever they occur, the words
"Goods Vehicles belonging to individual other
than Company/Institution/Corporation/etc." shall
be substituted;

(ii) after clause II, the following clause shall
be inserted, namely:— "IIA. Goods vehicles
not covered under clause II:

Goods vehicles not covered under clause II of
which the gross vehicle weight,—

- (i) is upto 1000 kgs. Rs. 1000/-
- (ii) exceeds 1000 kgs. but does not exceed
2000 kgs..... Rs. 2000/-
- (iii) exceeds 2000 kgs. but does not exceed
3000 kgs..... Rs. 2500/-
- (iv) exceeds 3000 kgs. but does not exceed
4000 kgs..... Rs. 3000/-
- (v) exceeds 4000 kgs. but does not exceed
5000 kgs..... Rs. 3400/-
- (vi) exceeds 5000 kgs. but does not exceed
6000 kgs..... Rs. 4000/-
- (vii) exceeds 6000 kgs. but does not exceed
7000 kgs..... Rs. 4300/-

- (viii) exceeds 7000 kgs. but does not exceed
8000 kgs..... Rs. 5125/-
- (ix) exceeds 8000 kgs. but does not exceed
9000 kgs..... Rs. 5750/-
- (x) exceeds 9000 kgs. but does not exceed
10000 kgs. Rs. 6125/-
- (xi) exceeds 10000 kgs. but does not exceed
11000 kgs. Rs. 6625/-
- (xii) exceeds 11000 kgs. but does not exceed
12000 kgs. Rs. 7250/-
- (xiii) exceeds 12000 kgs. but does not exceed
13000 kgs. Rs. 7625/-
- (xiv) exceeds 13000 kgs. but does not exceed
14000 kgs. Rs. 8000/-
- (xv) exceeds 14000 kgs. but does not exceed
15000 kgs. Rs. 8625/-
- (xvi) exceeds 15000 kgs. but does not exceed
16500 kgs. Rs. 9375/-
- (xvii) exceeds 1000 kgs. or part thereof in
excess of 16500 kgs. Rs. 800/-."

(II) in PART 'B', under item (B),

(i) in clause (3), for the words "Any other
motor vehicle", the words "Any other motor
vehicle belonging to individual other than
Company/Institution/Corporation/etc." shall be
substituted

(ii) after clause (3), the following clause
shall be inserted, namely:—

"(3A) Any other motor vehicles not
covered under clause (3)

(i) 7% of the cost of the vehicle, for
vehicles priced Rs. 6.00 lakhs and
below.

(ii) 8% of the cost of the vehicle, for
vehicles priced above Rs. 6.00 lakhs but
not exceeding Rs.10.00 lakhs.

(iii) 10% of the cost of the vehicle, for
vehicles priced above Rs. 10.00 lakhs but
not exceeding Rs. 25.00 lakhs.

(iv) 15% of the cost of the vehicle, for
vehicles exceeding Rs. 25.00 lakhs."

Secretariat,

Porvorim-Goa.

Dated: 7-5-2008.

K. S. SINGH,

Secretary to the Government of Goa,

Law Department (Legal Affairs).

www.goagovt.nic.in/gazette.htm

GOVERNMENT PRINTING PRESS,

PANAJI-G OA.

PRICE — Rs. 7.00

